

### **REMARKS**

In the January 3, 2006 Office Action, claims 12, 15-18, 25 and 26 stand rejected in view of prior art, while claims 1-11, 20, 22 and 24 were indicated as containing allowable subject matter. Claims 13, 14, 19 and 21 were withdrawn as being drawn to a non-elected species. No other objections or rejections were made in the Office Action.

#### ***Status of Claims and Amendments***

In response to the January 3, 2006 Office Action, Applicants have amended claim 20 to place it into independent form to accept the allowable subject matter as indicated above. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-22 and 24-26 are pending, with claims 1, 7, 11, 12, 20, 22, 25 and 26 being the independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the above amendments and the following comments.

#### ***Election of Species***

In paragraph 1 of the Office Action, Applicants' election without traverse in the response filed November 1, 2004 was acknowledged. Since claims 1-11 were indicated as allowed, it appears that claim 5 has been rejoined. Thus, non-elected claims 13, 14, 19, 21 and 23 are withdrawn from further consideration. Applicants respectfully request that non-elected claims 13, 14, 19 and 21 be rejoined in this application upon allowance of a generic claim.

#### ***Rejections - 35 U.S.C. § 103***

In paragraph 3 of the Office Action, claims 12, 15-18, 25 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,791,671 (Tang) in view of U.S. Patent No. 4,435,983 (Shimano).

Independent claims 12, 25 and 26 require a housing portion with an electrical part receiving space having an electrical part disposed therein. Applicants respectfully assert that

independent claims 12, 25 and 26 are *not* disclosed or suggested by the Tang and Shimano combination or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification.

Tang discloses a cable routing assembly with a cap 142, 192 and an annular portion 148 or expansion plug 204. The cap 142, 192 has a passageway 156, 200 for accommodating a cable 60. Referring to Figures 1 and 3, Tang also discloses a handlebar stem 26 with a passageway 140 for holding the handlebars 28, 30. Referring to Figures 3 and 8, the cap 142 rests inside the handlebar stem 26 and a steering tube 24. Tang does not disclose a housing portion having an electrical part receiving space with an electrical component disposed therein.

Shimano discloses a handle stem for a bicycle with electrical components. Column 2, lines 13-19 state the following:

A handle stem of the invention comprises a tubular stem body 1 mounted on the upper end of a front fork (not shown) of the bicycle frame, a projecting portion 2 extending from the top of stem body 1 radially outwardly thereof, and a holding portion 3 provided at the foremost end of projecting portion 2 and holding a handle bar (not shown)....

Applicants respectfully assert that the teachings of Shimano do not direct one of skill in the art to modify the cap 142, 192 of Tang. Rather, if the device of Tang were to be somehow modified using the disclosure of Shimano, the handlebar stem 26 of Tang would be modified to contain electrical components.

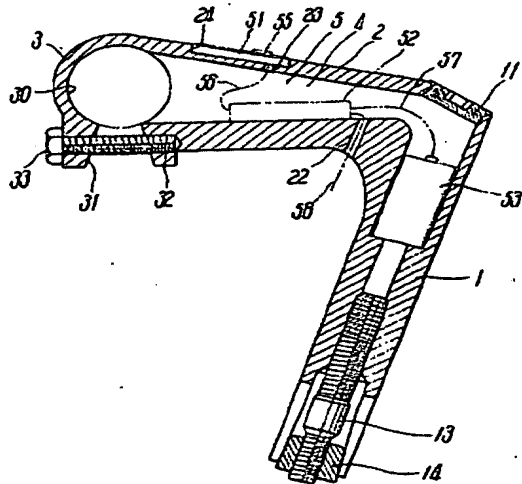
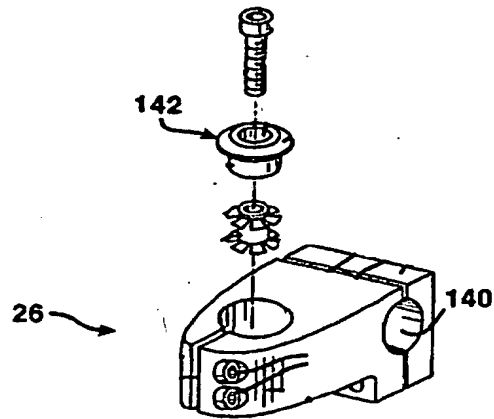


Figure 5 of Shimano



Portion of Figure 3 of Tang

The above Figures show the cap and stem for Shimano and Tang. In paragraph 6 of the Office Action, the Office Action argues that Shimano shows an alternate handlebar configuration. However, Shimano has a cap 11 that rests inside the projecting portion 2 and the tubular stem body 1 just as Tang has the cap 142 that rests inside the handlebar stem 26 and the steering tube 24. The projecting portion 2 of Shimano has an insertion bore 30 for holding a handlebar just as the handlebar stem 26 of Tang has a passageway 140 for holding the handle bars 28, 30.

When Figure 5 of Shimano and Figure 3 of Tang are viewed side by side, it becomes apparent that one of ordinary skill in the art would be directed to provide an electrical part in the handlebar stem 26 of Tang and *not* in the cap 142. Indeed, the closest component to the cap 142 of Tang is the cap 11 of Shimano. The cap 11 of Shimano does not have an electrical part receiving space with an electrical part disposed therein. Therefore, the

hypothetical device resulting from the combination of Tang and Shimano would only contain an electrical component in the handlebar stem 26.

Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique bicycle head cap unit.

Moreover, Applicants believe that dependent claims 15-18 are also allowable over the prior art of record in that they depend from independent claim 12, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 12, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

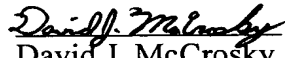
***Allowable Subject Matter***

In paragraphs 4 and 5 of the Office Action, claims 1-11, 22 and 24 were allowed while claim 20 was indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claim 20 to place it in independent form.

***Conclusion***

In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-22 and 24-26 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
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